

REMARKS

Claims 2-11, 13-15, 17, 19-49, and 68-76 are pending. Upon entry of this amendment, claims 77-124 will be pending, claims 77-124 having been added and claims 2-11, 13-15, 17, 19-49, and 68-76 canceled in this amendment. New claims 77-124 find support in the original claims.

Request to Withdraw Restriction Requirement

Applicants hereby renew Applicants' request set forth in the Amendment and Response to the Restriction Requirement, filed June 25, 2004, that the Restriction Requirement be withdrawn and that all the claims be examined on the merits.

Rejections

Claim 23 was rejected under 35 U.S.C. 112, 2nd paragraph, as claiming silicon, tellurium, and boron are metals. Claims 4-6 were rejected under 35 U.S.C. 102(b) as being anticipated by Yuo (US Patent No. 5,260,246). Claims 4-48 were rejected under 35 U.S.C. 103(a) as being unpatentable over Yuo. In view of the claim amendments, the rejections are rendered moot. Withdrawal of the rejections is therefore requested.

New Claims

New claims 77-124 are believed to be patentable over Yuo (U.S. Patent No. 5,260,246). The new claims recite a method for producing polyester using a catalyst. Whereas, Yuo discloses the preparation of Nylon 6, which is different in its chemical structure and the mechanisms whereby it is prepared or produced than polyester.

CONCLUSION

The claims are believed to be allowable.

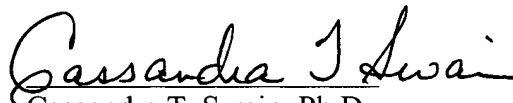
The Examiner is invited to contact the undersigned at 202-220-4200 to discuss any issues regarding this application.

The Office is authorized to charge any fees or credit any overpayment to Deposit Account No. 11-0600 referencing Docket No. 11197/5.

Respectfully submitted,

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